CLAIM 1

1.   A method of providing an individual with education and training about an employee stock option plan to permit the individual to make intelligent choices in the management of the stock option plan, comprising the steps of:

storing relevant information about the stock option plan in editable form in a central server;

modeling a projected outcome customized to the individual needs, the modeling being related to gain upon exercise of an option based on the relevant information about the stock plan;

connecting the central server to the Internet;

providing the information about the stock plan to the individual on a terminal connected to the Internet at the individual's site and the results of modeling done at the central server; and,

having the individual provide inputs to the central server specifying user-generated parameters relative to the stock option plan such that the user-provided information is used in the modeling, whereby information about the stock option plan is provided back to the individual over the Internet taking into account the individual's inputs to permit the individual to make decisions which will result in the optimization of the value of the plan.

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PREAMBLE

While it is not necessary to indicate the support for the preamble of the claim in the business plan there is in fact much support on Pages 1 and 2 of the business plan for

"A method of providing an individual with education and training about an employee stock option plan to permit the individual to make intelligent choices in the management of the stock option plan ..."

From the business plan on Page 1 it is said that

"CONCEPT

Website devoted to participants in stock option stock purchase, and restricted stock programs. MyStockPlan.com will provide interactive financial planning calculators/tools; content (articles and discussion forums); and record keeping, option exercise, and restricted stock services."

Moreover, on Page 2 under "The Opportunity," it is said that the purpose of the MyStockOptions.com website rests on

"[t]he desire of individuals to take direct control over their financial futures."

Also, on Page 2 of the business plan it is said

"Stock plan administrators tell us that they constantly receive questions of varying degrees of sophistication regarding their stock plans ..."

CLAIM ELEMENTS

a) First Claim Element

Returning now to the claim elements, the first claim element is:

"storing relevant information about the stock option plan in editable form in a central server"

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From the business plan it is noted that the concept includes creating a website, which ipso facto requires a central server.

Moreover, on Page 3, under the "Stock Option Calculator" portion of the business plan, third paragraph, it is said

> "MyStockPlan would have a calculator that would take seconds to complete. Visitors would enter in the number of options they have, the exercise price, the state in which they live, their salary, and the stock symbol/name of their company ..."

This claim element is thus clearly described on Page 3 of the business plan.

Moreover, on Page 4 at the top of the page in the discussion of 'Personal Record Keeping" it is stated that

> "Once they have registered and entered this basic information into the MyStockPlan.com database..."

This indicates that the concept of storing relevant information about a stock option plan in a database is contemplated in which the database would involve storing relevant information in a central server.

b) Second Claim Element

The second claim element is as follows:

> "modeling a projected outcome customized to the individual needs, the modeling being related to gain upon exercise of an option based on the relevant information about the stock plan"

Without a doubt, "modeling" is clearly disclosed on Page 4 of the business plan under "Modeling Tools." The entire paragraph under "Modeling Tools" supports modeling a projected outcome customized to the individual's needs because the

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"Modeling Tools would allow users to answer such questions as: 'What will my net proceeds by if my company's stock price goes up ____%?'..."

Not only is the concept clearly shown that the model is customized to the individual's needs, but the model is also related to "gain." Gain in this context relates to "profits," as specified by the term "net proceeds" under the Modeling Tools and "profits" under this section.

Moreover, under Section 1, the Stock Option Calculator on Page 3 of the business plan, the "Quick Take" program

"would give users the approximate 'net proceeds' from the exercise and sale." (emphasis supplied)

c) Third Claim Element

The next claim element is

"connecting the central server to the Internet"

Since this is a web-based system, and since all websites have a server, and since all website servers are connected to the Internet, there can be no question that the concept of connecting a central server to the Internet is shown or taught in the business plan.

d) Fourth Claim Element

The next claim element is

"providing the information about the stock plan to the individual on a terminal connected to the Internet at the individual's site and the results of modeling done at the central server"

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The fact that the results of the modeling are transmitted to the individual over the Internet

is clearly seen at the top of Page 4, where upon entering an ID/Password to use the "Personal

Record Keeper."

> "[t]his would permit them to view their previously entered option grant
> records online and the net proceeds for that day/time period based on their
> company's current stock price."

Note that there could be no purpose in providing a website if the information on the

website cannot be downloaded to the individual's terminal connected to the Internet, and it is

said on Page 2 of the business plan that providing a MyStockOptions.com website

> "will satisfy the needs of stock plan participants and companies."

e) Fifth Claim Element

The final claim element is

> "having the individual provide inputs to the central server specifying user-
> generated parameters relative to the stock option plan such that the user-
> provided information is used in the modeling ..."

As mentioned before, on Page 3 of the business plan,

> "[v]isitors would enter in the number of options they have ..."

thus to provide individual inputs. Where the information is entered when using the

MyStockOptions.com website would of necessity be the central server, which would store user-

generated parameters relative to the stock option plan.

Moreover, that the user's input is used for modeling can be seen on Page 4 under

"Modeling Tools," where it is said that these tools

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"would allow users with the time and patience to look at various 'what if' scenarios. The number of 'what if' scenarios and their levels of sophistication is endless."

The user-provided information is shown by the blanks ahead of "_____ %," "_____" years, "_____ months," et cetera.

WHEREBY CLAUSE

While the whereby clause is not formally a claim element it is clear from the above that

"whereby information about the stock option plan is provided back to the individual over the Internet taking into account the individual's inputs to permit the individual to make decisions which will result in the optimization of the value of the plan"

is clearly supported as the raison d'etre for having the website in the first place.

NO UNDUE EXPERIMENTATION

Having recited chapter and verse for the support in the business plan for each of the claim elements, it is also Applicant's contention that one could implement the website without undue experimentation.

Nowhere is this more clear than in the letter from the Van Ness Group in Appendix G. In Appendix G, the website engineers of the Van Ness Group indicated it was clearly within the expertise of a website developer to develop the concept as described in the business plan without undue experimentation. In point, the Van Ness Group completed the beta version of the website within two months.
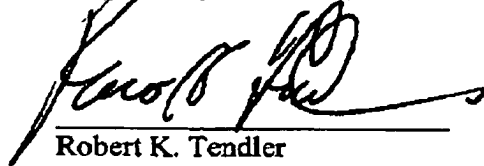
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CONCLUSION

From the above it can be seen that not only is each and every element of the claimed invention (Claim 1) described in the business plan of Appendix A, also there is no undue experimentation required to implement the claimed invention.

In view of this Amendment, it is Applicant's contention that the claims are in condition for allowance. Allowance of the claims and issuance of the case is therefore earnestly solicited.

Alternatively, entry of this Amendment for purposes of Appeal is requested.

Respectfully submitted,

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